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File No. Molasses II/41

Legal **DEPARTMENT**

B **BRANCH**

Subject:—

Rules of Notification under the proposed Bombay Molasses Act

P13

File No. Molasses II/41

Std. Sectt. Slip 24-B

4258

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Office of the R.D.O.

Para.3(b) of the R.D. office note at page 10 ante.- The draft notification at page 13 ante as amended slightly is in order.

2. Para.3(c) of the R.D. office note at page 10 ante.- Draft license form at pages 7-9 ante.- (a) A revised draft of the form of license is appended. It appears from the draft form sent by the Commissioner and the rules contained in the draft notification at page 15 ante, that the intention is to grant licenses for possession of molasses either (1) for sale or (2) for domestic purposes or (3) for industrial purposes. The conditions have been separated in the revised draft form and the draft has been suitably revised to provide for all the three kinds of licenses. The R.D. should verify whether the revised draft carries out its intention.

(b) As regards the question whether the Collector can be authorized by executive orders to grant licenses for possession of molasses, section 5(2) of the Act provides that the Provincial Government may, by general or special order, authorize any Collector to grant such licenses. It is not therefore legally necessary under the section to issue a notification for the purpose of authorising the Collectors to grant the licenses. The authorization can be made by executive orders. As the Act is in the beginning to be introduced only in part of the Thana District, only the Collector of Thana need be authorised under section 5 (2).

3. Para.3(d) of the R.D. office note at page 20 ante.- Draft notification at page 15 ante.- A revised draft notification is sent herewith.

rd/——13/9
Remembrancer of Legal Affairs.

U.K. to H. D., No. 283 -L, dated the 15th September 1941.

H.K.S. 35/4

LICENCE FORM.

Licence for the possession of molasses.

Licence is hereby granted to .....

.....

residing at .....

(hereinafter called the licensee) on payment of a fee of Re.1/- in advance, authorising him to have in his possession molasses, under and subject to the provisions of the Bombay Molasses Act, 1941 (Bom. .....of 1941) and the rules made thereunder and the conditions of this licence, during the period commencing from .....to .....

(both days inclusive).

This licence is granted subject to the following conditions and restrictions:-

1. The licensee shall not have in his possession at any one time molasses exceeding .....lbs in quantity.

2. The licensee shall not keep or store the molasses in any place other than his .....situate at.....

in the Taluka of .....in the District of .....

*To be inserted only in licenses for possession of molasses for sale.

*3. The licensee shall not use the molasses except for sale to other persons holding licenses for possession of molasses.

4. The licensee shall keep in the premises referred to in condition 2 a true account of the quantity of molasses brought to the premises, the place or places from where they were brought, the name or names

and addresses of persons from whom they were brought, the quantity sold, the names and address of the persons to whom they were sold, and the balance held in stock on the said premises. The account shall be kept in such form as the Superintendent of Excise in charge of the Division may from time to time prescribe and shall be plainly and correctly written up-to-date daily in a book of thick paper bound, page and sealed with the seal of the Superintendent.

*To be inserted only in licenses for possession of molasses for sale.

*3. The premises referred to in condition 2, all molasses kept therein and the account books referred to in condition 4 shall at all times be open to inspection by any Abkari or Police Officer not below the rank of a Sub-Inspector.

**To be inserted only in licenses for possession of molasses for use for domestic industrial purposes.

**6. The licensee shall not use the molasses except for bonafid domestic industrial purposes.

**7. The licensee shall not use for domestic industrial purposes molasses exceeding .....lbs per month.

8. The Collector may at any time suspend or cancel this license for breach of any of the provisions of the Bombay Molasses Act, 1941, or the rules made thereunder or the conditions of this license.

B.K.S. 25/4.

Granted this .....day of

..... 194

COLLECTOR.

Seal of
the Collector.

B.U.S.25/4

NOTIFICATION.

Revenue Department.

Bombay Castle, 1941.

No. In exercise of the powers conferred by section 10 of the Bombay Molasses Act, 1941 (Bom..... of 1941), the Government of Bombay is pleased to make the following rules:-

*To be filled in.

1. These rules shall be called the Bombay Molasses Rules, 1941.

2. No license for the possession of molasses shall be granted except when the molasses is to be used for bona fide domestic or industrial purposes or for sale to persons holding licenses for the possession of molasses.

3. Any person who desires to possess molasses shall apply for a license in that behalf to the Collector.

4. Before granting a license, the Collector shall, after making such inquiry as he deems fit, fix -

(a) the maximum quantity of molasses which the licensee may have in his possession at any one time; and

(b) where the license is required for the possession of molasses for use for bona fide domestic or industrial purposes, the maximum quantity of molasses that may be used by the licensee for such purposes during any one month.

By order of the Governor of Bombay,

Secretary to Government.

B.R.S. 25/4.

Offices of the R.L.A.

A revised draft notification is appended.

Sd/-------
for Remembrancer of Legal Affairs.

U.R. to R.D., No. 9461 , dated 3-11-1941.

R.K.S.25/4

Notification.

Revenue Department.

Bombay Castle, 1941.

No. In exercise of the powers conferred by sub-section (1) of section 10 of the Bombay Molasses Act, 194 (Bom. of 194), the Government of Bombay is pleased to empower every Police and Abkari Officer, not below the rank of a Sub-Inspector, to exercise, within the area for which he is appointed, the powers conferred by the said section 10.

By order of the Governor of Bombay,

Secretary to Government.

B.M.S. 25/4